

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

JERRY ALLEN,

Petitioner,

vs.

ROBERT OWENS, et al.,

Respondents.

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CIVIL ACTION NO. 07-SLB-RRA-0711-S

**MEMORANDUM OPINION**

This is a habeas corpus petition. On May 16, 2007, the magistrate judge entered a report and recommendation, recommending that the petition be dismissed because Allen sought in his petition and amended petition to have this court order that the indictment against him be dismissed, rather than to have his right to a speedy trial enforced.

Allen filed objections to the report and recommendation on May 24, 2007. In his objections, Allen appeared to seek to enforce his right to a speedy trial. Therefore, the magistrate judge considered Allen's objections as an amendment to his petition, raising a claim that he is being denied his right to a speedy trial.

On June 5, 2007, the magistrate judge entered a supplemental report and recommendation, recommending that the petition be dismissed because Allen has failed to exhaust the state remedies available to him with respect to his claim that he is being denied his right to a speedy trial. The petitioner was given fifteen days in which to file objections to the supplemental report and recommendation. To date, no objections have been filed.

The court has considered the entire file in this action, including the original report and recommendation, the objections to the original report and recommendation, and the supplemental report and recommendation, and has reached an independent conclusion that the recommendations are due to be adopted and approved.

Accordingly, the court hereby adopts and approves the findings and recommendations of the magistrate judge as the findings and conclusions of the court. This habeas petition is due to be dismissed. An appropriate order will be entered.

Done this 10th day of July, 2007.

A handwritten signature in black ink, reading "Sharon Lovelace Blackburn". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

SHARON LOVELACE BLACKBURN  
CHIEF UNITED STATES DISTRICT JUDGE